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MEMO ENDORSED

August 7, 2008

United States District Court, Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Attention: The Honorable Lawrence M. McKenna

**Re: Zumbo v. T&B Equipment Company, Inc. and Allen
George Rothenberger
Docket No.: 07 CIV 6340
LJAA File No.: 0114-1070-NY00**

Dear Judge McKenna:

As you may be aware, the undersigned represents the defendants in the above-referenced matter.

After consulting with the plaintiff's attorney, Joseph Tucker, Esq., I respectfully request an extension of time to complete discovery in this matter until September 30, 2008.

The parties have now completed the depositions of the plaintiff and two witnesses from the defendant. Additionally, we have recently received an expert witness response from the plaintiff's attorney. The remaining discovery includes post deposition demands recently served upon the defendants by plaintiff's counsel as well as a liability and damages expert from the defendants and a liability expert response from the plaintiff's attorney. Additionally, the parties may wish to conduct expert witness depositions.

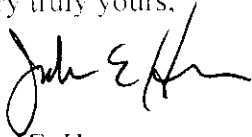
Mr. Tucker has also informed me that he plans to serve and file a motion asking the Court to determine whether Connecticut or New York law will apply to the damages aspect of this case.

*Reviewed. So ordered.
M. J. — 8/11/08*

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August 7, 2008
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Accordingly, the parties respectfully request that Your Honor extend the discovery in this matter until September 30, 2008. Thank you for your consideration of this request.

Very truly yours,



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JEH:ks

cc: **Via Fax: 212-599-1759**

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Attention: Joseph P. Tucker, Esq.